

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CARL BENSON,

Plaintiff,

v.

**BANK OF AMERICA, NATIONAL
ASSOCIATION,**

Defendant.

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Civil Action No. **3:14-CV-1046-L**

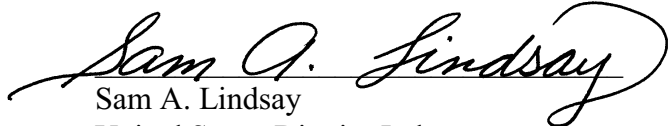
ORDER

Before the court is Defendant Bank of America, National Association's ("Defendant") Motion to Dismiss (Doc. 6), filed April 1, 2014. This matter was referred to Magistrate Judge Paul D. Stickney on April 10, 2014. The magistrate judge entered Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") on April 24, 2014, recommending that the court grant Defendant's Motion to Dismiss and dismiss with prejudice all of Plaintiff Carl Benson's ("Plaintiff") claims and causes of action. On May 28, 2014, Plaintiff filed a Writ of Replevin and a Request for Ex Parte Emergency Hearing for Writ of Replevin. On May 29, 2014, Plaintiff again filed a Request for Ex Parte Emergency Hearing for Writ of Replevin.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court **determines** that the findings and conclusions are correct and **accepts** them as those of the court. Accordingly, the court **grants** Defendant's Motion to Dismiss with respect to all of Plaintiff's claims and causes of action, and **dismisses with prejudice** all of Plaintiff's claims and causes of action. Further, Plaintiff's Writ of Replevin and Requests for Ex

Parte Emergency Hearings are **denied as moot**. Pursuant to Rule 58(a) of the Federal Rules of Civil Procedure, the court will enter judgment by separate document.

It is so ordered this 12th day of June, 2014.


Sam A. Lindsay
United States District Judge